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September 23, 2005

VIA HAND DELIVERY

Alessandro A. Iuppa, Superintendent
Attn: Vanessa J. Leon
Docket No. INS-05-700
Maine Bureau of Insurance
34 State House Station
Gardiner, Maine 04333-0034

In Re: Review of Aggregate Measurable Cost Savings Determined By Dirigo Health
For the First Assessment Year

Dear Superintendent Iuppa:

Enclosed for filing please find two hard copies of the following:

SUBMITTED BY: Christopher T. Roach

DATE: September 23, 2005

DOCUMENT TITLE: Motion to Intervene

DOCUMENT TYPE: Motion

CONFIDENTIAL: No

Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to be "Chris Roach", written over a horizontal line.

Christopher T. Roach

cc: John Kelly
Thomas C. Sturtevant, Jr.

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF INSURANCE

IN RE:)	
)	
REVIEW OF AGGREGATE)	
MEASURABLE COST SAVINGS)	MOTION TO INTERVENE
DETERMINED BY DIRIGO HEALTH)	
FOR THE FIRST ASSESSMENT YEAR)	
)	
Docket No. INS-05-700)	
)	

Pursuant to the Procedural Order issued by the Superintendent on June 29, 2005, 5 M.R.S.A. § 9054(1), and Bureau of Insurance Rule Chapter 350, Anthem Health Plans of Maine, Inc. d/b/a/ Anthem Blue Cross and Blue Shield (“Anthem BCBS”), by and through its attorney, hereby moves for intervention as a matter of right in the above-captioned matter.

Motions to intervene in Bureau proceedings are governed under Section 9054 of the Maine Administrative Procedures Act. The relevant provision of Section 9054 provides:

1. Intervention. On timely application made pursuant to agency rules, the agency conducting the proceedings shall allow any person showing that he is [or] may be, or is a member of a class which is or may be, substantially and directly affected by the proceeding, or any other agency of federal, state or local government, to intervene as a party to the proceeding.

5 M.R.S.A. § 9054.

Anthem BCBS clearly meets the standards for intervention as a matter of right in this proceeding.

Pursuant to 24-A M.R.S.A. § 6913, the savings offset payment determined by the Superintendent in this proceeding must be paid by, among others, health insurance carriers. In turn, health insurance carriers may include the amount of the savings offset payment in the

calculation of the rates charged by the carrier to its members. *See, e.g.*, 24-A M.R.S.A. § 2736-


C. As the State of Maine's largest health insurance carrier, Anthem BCBS will be substantially and directly affected in several ways by the Superintendent's decision determining the amount of the offset to be paid.

For one, Anthem BCBS will be required to pay the savings offset payment determined by the Superintendent in this proceeding. Moreover, that payment amount will be used to calculate the premiums to be paid by all Anthem BCBS members. To reduce to the extent possible the impacts of rate increases, the amount of the savings offset payment must be (1) credible and reasonable, (2) directly attributable to the Dirigo legislation, and (3) no greater than the actual savings that are attributable to the law.

Anthem BCBS does not seek to oppose the concept of a savings offset payment as a mechanism to fund the Dirigo Health Agency, but has a substantial and direct interest in ensuring that any savings offset payment meets the criteria articulated above.

For the reasons given above, Anthem BCBS requests that the Superintendent grant its motion to intervene as a matter of right.

DATED: September 23, 2005

A handwritten signature in black ink, appearing to read 'Christopher T. Roach', is written over a horizontal line.

Christopher T. Roach, Esq.

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